

August 8, 2024

VIA ECF

Honorable Brian R. Martinotti, U.S.D.J.
United States District Court
District of New Jersey
U.S. Post Office & Courthouse
2 Federal Square
Newark, New Jersey 07102

**Re: *In re: Insulin Pricing Litigation*, 2:23-md-03080-BRM-RLS
MDL No. 3080**

Dear Judge Martinotti:

In accordance with Paragraph 4(b) of MDL Case Management Order #1, we write on behalf of all parties to provide the following agenda for the case-management conference scheduled for 11:00 a.m. on Tuesday, August 13, 2024.

1. Self-Funded Payer Track: Discovery Process. Consistent with Section II.F of Judge Singh's June 7, 2024 Case Management Order #10 (Initial Discovery Plan), the parties have conferred regarding Master Discovery Requests and Plaintiff Fact Sheets. *See* ECF No. 198. Plaintiffs in the Self-Funded Payer Track have also proposed separate Defendant Fact Sheets directed to the Manufacturer and PBM Defendants. Despite several conferrals, the parties have not been able to reach agreement on those documents. The parties anticipate that they will need to submit briefing to the Court regarding these issues in the near future.

2. State Attorney General Track: Discovery on Plaintiffs. On June 28, 2024, Plaintiffs in the State Attorney General Track and Defendants submitted position papers setting forth those parties' respective positions on whether discovery on the plaintiffs in this track should proceed via Plaintiff Fact Sheets or master discovery requests. (ECF Nos. 220, 222). Plaintiffs requested oral argument.

3. Third-Party Payer Class Track: Proposed Consolidation. On June 5, 2024, certain Plaintiffs in this track and plaintiffs in *In re Direct Purchaser Insulin Pricing Litigation* filed a letter seeking to consolidate the *Direct Purchaser* action with certain plaintiffs in this track, replace the existing Third-Party Payer Class Track with a track denominated the "Direct Purchaser Class Track," and appoint a leadership structure for the track. (ECF No. 195). On June 12, 2024, Defendants submitted a response (ECF No. 210), and on June 20, 2024, Plaintiffs filed a reply (ECF No. 216). Plaintiffs welcome the opportunity to discuss the status of their proposal with the Court.

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Also enclosed for the Court's reference is a current MDL case list. We thank the Court for its continued attention to this matter.

Respectfully submitted,

s/ James E. Cecchi

James E. Cecchi
Liaison Counsel for
Third-Party Payer Class Track

s/ David R. Buchanan

David R. Buchanan
Liaison Counsel for
Self-Funded Payer Track

s/ Joanne Cicala

Joanne Cicala
Liaison Counsel for
State Attorney General Track

s/ John D. Tortorella

John D. Tortorella

Enclosure

cc: Honorable Rukhsanah L. Singh, U.S.M.J. (*via* ECF)
Counsel of Record (*via* ECF)

In re Insulin Pricing Litigation (MDL No. 3080)**Case No. 2:23-md-03080-BRM-RLS****Case List as of August 8, 2024**

#	Case Name	Case No.
Self-Funded Payer Track Cases		
1	County of Monmouth, New Jersey v. Eli Lilly and Company, et al.	2:23-cv-03916
2	Cattaraugus County, New York v. Eli Lilly and Company, et al.	2:23-cv-04384
3	Jackson County, Missouri v. Eli Lilly and Company, et al.	2:23-cv-04531
4	City of Cleveland, Ohio v. Eli Lilly and Company, et al.	2:23-cv-04544
5	County of Albany, New York v. Eli Lilly and Company, et al.	2:23-cv-07042
6	Lake County, Illinois v. Eli Lilly and Company, et al.	2:23-cv-08487
7	Bossier Parish v. Eli Lilly and Company, et al.	2:23-cv-10910
8	Steuben County, New York v. Eli Lilly and Company, et al.	2:23-cv-18249
9	Cortland County, New York v. Eli Lilly and Company, et al.	2:23-cv-18314
10	Livingston County, New York v. Eli Lilly and Company, et al.	2:23-cv-18351
11	Schenectady County, New York v. Eli Lilly and Company, et al.	2:23-cv-20375
12	Cuyahoga County v. Eli Lilly and Company, et al.	2:23-cv-21082
13	King County v. Eli Lilly and Company, et al.	2:23-cv-21178
14	Pinellas County, Florida v. Eli Lilly and Company, et al.	2:23-cv-21381
15	City of Alexandria, Virginia v. Eli Lilly and Company, et al.	2:23-cv-22769
16	County Board of Arlington County, Virginia v. Eli Lilly and Company, et al.	2:23-cv-22776
17	Spokane County v. Eli Lilly and Company, et al.	2:23-cv-22847

#	Case Name	Case No.
18	Board of County Commissioners of Washington County, Maryland v. Eli Lilly and Company, et al.	2:23-cv-22917
19	Henrico County, Virginia v. Eli Lilly and Company, et al.	2:23-cv-23042
20	The Board of County Commissioners of St. Mary's County, Maryland v. Eli Lilly and Company, et al.	2:23-cv-23090
21	Anne Arundel County, Maryland v. Eli Lilly and Company, et al.	2:24-cv-00384
22	County of Wayne, Michigan v. Eli Lilly and Company, et al.	2:24-cv-00523
23	City of Roanoke, Virginia et al. v. Eli Lilly and Company, et al.	2:24-cv-00559
24	Erie County, New York v. Eli Lilly and Company, et al.	2:24-cv-00632
25	Onondaga County, New York v. Eli Lilly and Company, et al.	2:24-cv-00646
26	Niagara County, New York v. Eli Lilly and Company, et al.	2:24-cv-00652
27	Broome County, New York v. Eli Lilly and Company, et al.	2:24-cv-00692
28	Oneida County, New York v. Eli Lilly and Company, et al.	2:24-cv-00694
29	Washtenaw County, Michigan, et al. v. Eli Lilly and Company, et al.	2:24-cv-00717
30	Macomb County, Michigan v. Eli Lilly and Company, et al.	2:24-cv-00719
31	Monroe County, Michigan v. Eli Lilly and Company, et al.	2:24-cv-00720
32	LDG Medical Services Group, L.L.C., et al. v. Eli Lilly and Company, et al.	2:24-cv-00725
33	Warren County, New York v. Eli Lilly and Company, et al.	2:24-cv-00992
34	St. Louis County, Missouri v. Eli Lilly and Company, et al.	2:24-cv-04615
35	Mayor & City Council of Baltimore v. Eli Lilly & Company, et al.	2:24-cv-05099
36	City of Lorain, Ohio v. Eli Lilly and Company, et al.	2:24-cv-05002
37	Commonwealth of Pa. ex rel. Lawrence S. Krasner v. Eli Lilly and Company, et al.	2:24-cv-05391
38	Clark County v. Eli Lilly and Co., et al.	2:24-cv-06568
39	Heat and Frost Insulators Local No. 33 Health Fund v. Eli Lilly and Company, et al.	2:24-cv-06233

#	Case Name	Case No.
40	Int'l Union of Operating Engineers Local No. 478 Health Fund v. Eli Lilly and Company, et al.	2:24-cv-06303
41	Int'l Union of Operating Engineers Welfare Fund of Eastern Pa. v. Eli Lilly and Company, et al.	2:24-cv-06312
42	Board of Supervisors of Accomack County v. Eli Lilly and Company, et al.	2:24-cv-06329
43	City of Portsmouth, Virginia v. Eli Lilly and Company, et al.	2:24-cv-06331
44	Hamblen County, TN v. v. Eli Lilly and Company, et al.	2:24-cv-06456
45	Greene County, Tennessee v. Eli Lilly and Company, et al.	2:24-cv-06919
46	City of Marietta, Georgia v. Eli Lilly and Company, et al.	2:24-cv-06949
47	Johnson County, Tennessee v. Eli Lilly and Company, et al.	2:24-cv-06973
48	Cocke County, Tennessee v. Eli Lilly and Company, et al.	2:24-cv-06980
49	Kentucky Laborers District Council Health and Welfare Fund v. Eli Lilly and Company, et al.	2:24-cv-07091
50	Iron Workers' Locals No. 14 and 434 Extended Benefit Fund v. Eli Lilly and Company, et al.	2:24-cv-07720
51	Ulster County v. Eli Lilly and Company, et al.	2:24-cv-07854
52	Virginia Beach, Virginia v. Eli Lilly and Company, et al.	2:24-cv-07885
53	Parish Government Risk Management Agency v. Eli Lilly and Company, et al.	2:24-cv-08097
54	County of Whitfield, Georgia v. Eli Lilly and Company, et al.	2:24-cv-08235
55	City of Hialeah, Florida v. Eli Lilly and Company, et al.	2:24-cv-08327
State Attorney General Track Cases		
1	State of Montana, ex rel. Austin Knudsen v. Eli Lilly and Company, et al.	2:23-cv-04214
2	State of Kansas, ex rel., Kris W. Kobach, Attorney General v. Eli Lilly and Company, et al.	2:23-cv-04219
3	State of Arkansas, ex rel. Tim Griffin, Attorney General v. Eli Lilly and Company et al.	2:23-cv-04239
4	State of Illinois, ex rel. Raoul v. Eli Lilly and Company et al.	2:23-cv-04242
5	State of Mississippi, ex rel. Lynn Fitch Attorney General v. Eli Lilly and Company et al.	2:23-cv-04364

#	Case Name	Case No.
6	State of Kentucky, ex rel. Daniel Cameron v. Novo Nordisk Inc., et al.	2:23-cv-21374
7	The State of Louisiana v. Sanofi-Aventis U.S. LLC et al.	2:23-cv-22978
8	Arizona v. Optum Incorporated et al.	2:24-cv-00260
9	State of Utah et al. v. Eli Lilly and Company et al.	2:24-cv-00536
10	State of Indiana v. Express Scripts Administrators, et al.	2:24-cv-06068
11	State of Louisiana v. Eli Lilly and Company, et al.	2:24-cv-07048
12	State of Oklahoma ex rel. Drummond v. Eli Lilly and Company, et al.	2:24-cv-07606
Third-Party Payer Class Track Cases		
1	Sheet Metal Workers Local No. 25 Health and Welfare Fund v. Eli Lilly and Company, et al.	2:23-cv-14371
2	Local 464A UFCW Welfare Services and Benefit Funds individually and on behalf of all other similarly situated v. Eli Lilly and Company, et al.	2:23-cv-20842
3	Local 837 Health and Welfare Plan, individually and on behalf of all other similarly situated v. Eli Lilly and Company, et al.	2:23-cv-20932
4	Local No. 1 Health Fund, and Plan of Benefits for the Local No. 1 Health Fund, individually and on behalf of all others similarly situated v. Eli Lilly and Company, et al.	2:23-cv-21160
5	Indiana/Kentucky/Ohio Regional Council of Carpenters Welfare Fund, individually and on behalf of all others similarly situated v. Eli Lilly and Company, et al.	2:23-cv-22305